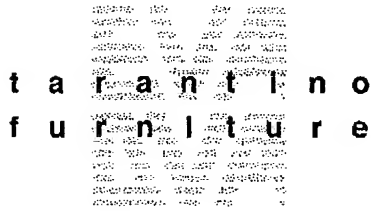

FAX TRANSMITTAL

TO: HAI VO
USPTO
571 273 1485

FROM: SHARON TARANTINO
908 359 2443 telephone

DATE: 2 MARCH 2004

Number Of Pages: forty five (45)

APPL Number: 10,004,021
EVA Furniture

As per your request, attached you will find a copy of the Express Mail receipt/ confirmation for our Utility Patent Application response to your communication. Also, attached is the full application argument.

Please call me if you require any additional information. 908 359 2443

Thank you,

Sharon Tarantino

908 359 2443 studio 1423 main street millstone nj 08844 www.tarantinostudio.com

UNITED STATES POSTAL SERVICE®

Home

Track & Confirm

Shipment Details

You entered ER22 3606 417U S

Your item was delivered at 10:52 am on January 15, 2004 in ALEXANDRIA, VA 22313 to PATENT OFFICE. The item was signed for by M BOSTON.

Here is what happened earlier:

- ARRIVAL AT UNIT, January 15, 2004, 7:51 am, DULLES, VA 20102
- ACCEPTANCE, January 14, 2004, 12:04 pm, SOMERSET, NJ 08873

Track & Confirm
Enter label number:
Go>

Track & Confirm FAQs Go>

Notification Options

▸Track & Confirm by email What is this? Go>

▸Request Proof of Delivery What is this? Go>

Customer Copy
Label 11-B September 2002

ER 22360641? US

EXPRESS MAIL
UNITED STATES POSTAL SERVICE®

Post Office To Addressee

ORIGIN (POSTAL USE ONLY)

PO ZIP Code: 08873	Day of Delivery: ☐ Next ☐ Second	Flat Rate Envelope: ☒
Date In: Mo. 1 Day 14 Year 04	☐ 12 Noon ☐ 3 PM	Postage: $ 13.65
Time In: 1200 ☐ AM ☒ PM	Military: ☐ 2nd Day ☐ 3rd Day	Return Receipt Fee
Weight: lbs. 12 ozs.	Int'l Alpha Country Code	COD Fee: $ / Insurance Fee
No Delivery: ☐ Weekend ☐ Holiday	Acceptance Clerk Initials: SH	Total Postage & Fees: $ 13.65

DELIVERY (POSTAL USE ONLY)

Delivery Attempt Mo. Day	Time ☐ AM ☐ PM	Employee Signature
Delivery Attempt Mo. Day	Time ☐ AM ☐ PM	Employee Signature
Delivery Date Mo. Day	Time ☐ AM ☐ PM	Employee Signature

CUSTOMER USE ONLY

PAYMENT BY ACCOUNT
Express Mail Corporate Acct. No.

Federal Agency Acct. No. or Postal Service Acct. No.

NO DELIVERY ☐ Weekend ☐ Holiday

☐ WAIVER OF SIGNATURE (Domestic Only)
Additional merchandise insurance is void if waiver of signature is requested.
I want this item to be delivered without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes proof of delivery.

Customer Signature

FROM: (PLEASE PRINT) PHONE (908) 359-2443

Sharon Tarantino
1423 Main St
Millstone, NJ 08844

TO: (PLEASE PRINT) PHONE (571) 272-1300

Mail Stop- Continuation in Part
Art Unit 1771,
Commissioner for Patents
P.O. Box 1450
Alexandria, VA

2 2 3 1 3 + 1 4 5 0
ZIP + 4

FOR PICKUP OR TRACKING CALL 1-800-222-1811
www.usps.com EMS
PRESS HARD. You are making 3 copies.

PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	
First Inventor	Lawrence J. Tarantino
Title	E.V.A. FURNITURE
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. [✓] Fee Transmittal Form (e.g., PTO/SB/17) *(Submit an original and a duplicate for fee processing)*
2. [✓] Applicant claims small entity status. See 37 CFR 1.27.
3. [✓] Specification [*Total Pages* 6] *(preferred arrangement set forth below)*
   - Descriptive title of the invention
   - Cross Reference to Related Applications
   - Statement Regarding Fed sponsored R & D
   - Reference to sequence listing, a table, or a computer program listing appendix
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawings (*if filed*)
   - Detailed Description
   - Claim(s)
   - Abstract of the Disclosure
4. [✓] Drawing(s) *(35 U.S.C. 113)* [*Total Sheets* 4]
5. Oath or Declaration [*Total Pages*]
   - a. [✓] Newly executed (original or copy)
   - b. [ ] Copy from a prior application (37 CFR 1.63 (d)) *(for continuation/divisional with Box 18 completed)*
     - i. [ ] DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. [ ] Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. [ ] CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
   - a. [ ] Computer Readable Form (CRF)
   - b. Specification Sequence Listing on:
     - i. [ ] CD-ROM or CD-R (2 copies); or
     - ii. [ ] paper
   - c. [ ] Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. [ ] Assignment Papers (cover sheet & document(s))
10. [ ] 37 CFR 3.73(b) Statement *(when there is an assignee)* [ ] Power of Attorney
11. [ ] English Translation Document *(if applicable)*
12. [ ] Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations
13. [ ] Preliminary Amendment
14. [ ] Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. [ ] Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. [ ] Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. [✓] Other: AFFIDAVIT UNEXPECTED COMMERCIAL SUCCESS

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:*

[ ] Continuation [ ] Divisional [✓] Continuation-in-part (CIP) of prior application No.: 10 / 004,021

Prior application information: Examiner: HAI VO Group Art Unit: 1771

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

[ ] *Customer Number or Bar Code Label* [redacted] or [ ] *Correspondence address below*

Name	LAWRENCE J. TARANTINO				
Address	1423 MAIN STREET				
City	MILLSTONE	State	NJ	Zip Code	08844
Country	USA	Telephone	908-359-2443	Fax	

Name (Print/Type)	LAWRENCE J. TARANTINO	Registration No. (Attorney/Agent)	
Signature	/lawrence j tarantino/	Date	12 Jan 04

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

TITLE: E.V.A. FURNITURE

Inventors: **Lawrence J. Tarantino, AIA**
Sharon A. Tarantino
Millstone, NJ

BACKGROUND OF THE INVENTION

This application is a Continuation in Part of Application No.10/004,021 filed 11/02/2001. The present invention relates generally to modular furniture and, more particularly, to new and improved modular furniture designs using ethylene vinyl acetate as the material for the construction of furniture.

DESCRIPTION OF THE RELATED ART

Traditionally, furniture designs have utilized wood, metal or a foam core to provide stability and structure for the furniture form. The furniture frames are typically covered with foam padding and then fabric upholstery is stretched over the padding. The inventors are unaware of any furniture where the foam is the structure, as well as, the exposed final finish. Additionally, other furniture designs with laminated materials do not offer both structural capabilities and at the same time a soft resilient seating surface.

The following patents are pertinent to this invention: US-5,240,528, Pagni, Larry P.; US-4,822,661, Battaglia, Gino; and US-4,666,947, Brichta et al. Brichta teaches furniture formed from slabs of EVA foam having a density of 38 *kg/m3.* Pagni teaches a furniture piece 10 consisting of a plurality of stone tile members that are adhesively butt-joining to form planar panel members (figures 1 and 3, column 3, lines 50-65). Pagni also teaches the large structural rigidity of a plurality of smaller tiles and being cut to the requisite size to form the different surfaces of the furniture object which is desired of the furniture piece (column 4, lines 14-20).

DESCRIPTION OF THE RELATED ART

Pagni teaches the panel being cut to the specific size to form the different surfaces of the furniture object which is desired and the surfaces being grinded to a smooth finish (column 3, lines 60-65, column 4, lines 13-14). Battaglia, teaches that panels are cut to specific size by band saw.

SUMMARY OF THE INVENTION

The proposed furniture in accordance with the invention can be produced in a wide variety of forms using ethylene vinyl acetate, herein referred to as E.V.A, and other suitable polymer materials having similar properties.

E.V.A. is a closed-cell, dense resilient foam that is unique in the field of present furniture design applications. It is commonly used in the production of mouse pads, shoes, automotive parts, athletic equipment padding and mats, as well as children's two-dimensional toys. However, it has not been found that E.V.A. has been used in the construction of furniture design. The development of the furniture design potential began with the understanding that the unique physical properties of E.V.A. are structurally capable of supporting human weight and thereby, providing a useful piece of furniture. Because of the material's soft characteristic, the design shape may have square, rectangular, sharp edges without the usual comfort and safety concerns in chairs of other typical materials, i.e. wood, metal or plastic. Additionally, E.V.A. is safe, durable, washable, non-toxic, non-flammable, and can be protected from ultraviolet sunrays.

E.VA. can be produced in unlimited colors and does not require covering or additional coating or finishing. Other foam chairs presenting available have a plastic coating and/or fabric covering. These unique physical properties of the E.V.A. material provide opportunities in

SUMMARY OF THE INVENTION

furniture design for children, as well as adults. The furniture fabrication process begins with manufacturing the E.V.A. raw material in various densities that are identified by the manufacturing industry in weight. The inventors have determined that the preferred density for the production of chairs is 40 kg/cubic meter because it provides adequate strength to support weight and durability. However, a range of 24 - 128 kg/cubic meter in densities may be utilized. E.V.A. is manufactured in a thickness of approximately 120 mm and is referred to in the industry as a bun. The inventors have developed a formula that relates the thickness of E.V.A. sheets and proportion of the furniture to the user, i.e. .size and weight of the person. The thicknesses of the E.V.A. sheet =1 unit and 3 units =1 module. These units and modules can increase or decrease depending upon the size chair desired. In the case of a child's chair, the unit size (E.V.A. sheet thickness) would be approximately 30mm and an adult full-scale chair would be 40 mm.

Once the exact thickness of the E.V.A. has been determined, the bun is trimmed into sheets and then the shapes are die-cut into a nested pattern. The nested pattern provides a cost effective method of fabrication with minimal material waste. The die-cut E.V.A. pieces are then laminated together with adhesive and then ground to a smooth finish.

Because the design is based upon a modular formula the chairs can be easily stacked in various configurations. Also, because the E.V.A. has a smooth suede-like finish it provides friction that keeps the stacking chairs in place. The interlocking stacking options are particularly useful for a child's chair where up to eight (8) chairs can be safely stacked on top of each other. Also, the child's chair is light enough (approximately 3 1bs.) so that a child can carry it while not damaging anything or anyone it his or her path.